

SEP 08 2004

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Date	Total pages	Attorney number	Client/matter number
September 8, 2004	25	07358	103832-142834
To	Company	Fax number	Telephone
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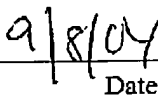
Re: Patent Appl. No. : 10/713,859
Applicants : Peter Emig et al.
Filed : November 14, 2003
Title : Novel Heteroaryl Derivatives And Their Use As Medicaments
TC/A.U. : 1624
Examiner : TBA
Atty. Docket No. : 103832-466-DIV

Submitted herewith are the following items for filing in the above-identified application:

- Supplemental Information Disclosure Statement and copies of cited references (24 pages)

CERTIFICATE OF TRANSMISSION

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Yvette Alvarez-Perez
Date


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Yvette Alvarez-Perez

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/713,859
Applicants : Peter Emig et al.
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Atty. Docket No. : 103832-466-DIV

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Under the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO/SB/08 (substitute for form 1449/PTO). Copies of the listed documents are enclosed.

Cited Document No. 2 is an examination report of the corresponding Chinese Patent Application No. 01813158.1, wherein the Examiner cited four references to assert lack of novelty and inventiveness.

Reference 1 CN1219131A is equivalent to US 5,804,588. Reference 4 CN1196724A is equivalent to WO 98/00402. References 1, 3 and 4 have been submitted in the Information Disclosure Statement filed on December 8, 2003.

Reference 2 EP 0318235 is equivalent to US 4,937,246, which is being submitted herewith.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form and returning a copy to applicants.

This Information Disclosure Statement is being filed before the mailing of a first office action on the merits under 37 C.F.R. §1.97(b), and therefore no fee is necessary. However, the Commissioner is still authorized to charge any required fees to Goodwin Procter LLP Deposit Account 06-0923.

Respectfully submitted for Applicants,



Eva Tan (Reg. No. 46,406)
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Application Number	10/713,859
Filing Date	November 14, 2003
First Named Inventor	Peter Emig
Art Unit	1624
Examiner Name	TBA
Attorney Docket Number	103832-466-DIV

Sheet 1 of 2

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Date Considered

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

PAGE 4/25 * RCVD AT 9/8/2004 3:15:07 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/9 * DNIS:8729306 * CSID:9739924643 * DURATION (mm:ss):10:30

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

Application Number

10/713.859

Filing Date

November 14, 2003

First Named Inventor

Peter Emig

Art Unit

1624

Examiner Name

TBA

Attorney Docket Number

103832-466-DIV

Sheet

2

of

2

NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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